

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NATHANIEL VINCENT LONG,

Defendant.

CR 20–35–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on October 21, 2020. (Doc. 30.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Nathaniel Vincent Long’s guilty plea after he appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of possession with intent to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1), as set forth

in Count I of the Indictment. She also recommends that the Court accept Long's agreement to the forfeiture allegation in the Indictment.

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 30) IN FULL.

IT IS FURTHER ORDERED that Nathaniel Vincent Long's motion to change plea (Doc. 20) is GRANTED, and he is adjudged guilty as charged in Count I of the Indictment.

DATED this 5th day of November, 2020.



Dana L. Christensen, District Judge
United States District Court